## Case 1:13-cr-10200-GAO Document 1674 Filed 06/15/16 Page 1 of 9

#### UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

Case name <u>Un</u>	ited States v. Dzhokhar Tsarnaev	
District Court C	Case No. 13 Cr. 10200 (GAO)	District of Massachusetts
Date Notice of	Appeal filed January 29, 2016	Court of Appeals Case No. 16-6001
Form filed on b	ehalf of Dzhokhar Tsarnaev	
	TRANS	CRIPT REPORT .
Transcript Alre	Necessary for this Appealady Filed in District Court. List each transfecessary) See attached Exhibit A.	script by docket entry number and date and type of proceeding (attach
	TRANS	SCRIPT ORDER
	Reporter Marcia Patrisso of Reporter (617) 737-8728	
	•	
A. <u>V</u>	This constitutes an order of the transcrip indicate dates of hearing(s)]:	t of the following proceedings [check appropriate box(es) and
	_	177 ( P. 177 ( C)
	PROCEEDING(S)	HEARING DATE(S)
	Jury Voir Dire	
′ 🔲	Opening Statement (plaintiff)	
	Opening Statement (defendant)	1/0.0/1.7
$\boxtimes$	Trial	4/30/15
닐	Closing Argument (plaintiff)	
· Ц	Closing Argument (defendant) Findings of Fact/Conclusions of Law	
片	Jury Instructions	
	Change of Plea	
Ħ	Sentencing	
	Bail hearing	
$\overline{f x}$	Pretrial proceedings (specify) various	See attached Exhibit B.
	Testimony (specify )	
$\boxtimes$	Other (specify) various	See attached Exhibit B.
NOTE:	Any form that fails to specify in adequate d	etail those proceedings to be transcribed will be considered deficient.
В	I certify that I have contacted the court retranscript have been made:	reporter and the following financial arrangements for payment of the
	been allowed. (Attach a copy of the order t Criminal Justice Act. A CJA Form 24 has	been approved by the <u>district court</u> judge.  tached for authorization by the court of appeals.
Filer's name <u>Da</u>		Filer's Signature
Firm/AddressF	ederal Defenders of New York, 52 Duane St., 10th Floor, NY NY 10007	Filer's Email address david patton@fd.org
Telephone numb	er <u>212-417-8700</u>	Date mailed to court reporter June 16, 2016
(Court Reporter	Use ONLY) Date received	

# **EXHIBIT A**

# Transcripts Already Filed in District Court

Dkt. No.	Date	Type of Proceeding
11	4/22/13	Initial Appearance
13	4/22/13	Sealed Conference
25	5/3/13	Sealed Ex Parte Proceeding (Telephonic)
67	7/10/13	Arraignment
104	9/23/13	Status Conference
149	11/12/13	Status Conference and Motion Hearing
174	2/12/14	Status Conference
270	4/16/14	Motion Hearing
425	6/18/14	Status Conference
538	8/14/14	Status Conference
580	9/18/14	Status Conference
671	11/12/14	Status Conference
776	12/18/14	Status Conference (Excerpt)
800	12/18/14	Final Pretrial Status Conference
915	10/20/14	Status Conference
987	1/2/15	Lobby Conference (Sealed)
988	12/30/14	Lobby Conference (Sealed)
1006	1/15/15	Jury Trial Day Four (Empanelment) (Sealed)
1007	1/16/15	Jury Trial Day Five (Empanelment) (Sealed)
1008	1/20/15	Jury Trial Day Six (Empanelment) (Sealed)
1009	1/21/15	Jury Trial Day Seven (Empanelment) (Sealed)
1010	1/22/15	Jury Trial Day Eight (Empanelment) (Sealed)
1011	1/23/15	Jury Trial Day Nine (Empanelment) (Sealed)
1012	1/26/15	Jury Trial Day Ten (Empanelment) (Sealed)
1013	1/29/15	Jury Trial Day Eleven (Empanelment) (Sealed)
1014	1/30/15	Jury Trial Day Twelve (Empanelment) (Sealed)
1015	2/4/15	Jury Trial Day Thirteen (Empanelment) (Sealed)
1019	2/5/15	Jury Trial Day Fourteen (Empanelment) (Sealed)
1024	2/6/15	Jury Trial Day Fifteen (Empanelment) (Sealed)
1026	2/11/15	Jury Trial Day Sixteen (Empanelment) (Sealed)
1028	2/12/15	Jury Trial Day Seventeen (Empanelment) (Sealed)
1034	2/13/15	Jury Trial Day Eighteen (Empanelment) (Sealed)
1041	2/17/15	Jury Trial Day Nineteen (Empanelment) (Sealed)
1049	2/18/15	Jury Trial Day Twenty (Empanelment) (Sealed)

1052	2/19/15	Jury Trial Day Twenty One (Empanelment) (Sealed)
1052	2/19/15	Jury Trial Day Twenty One (Empanelment) (Sealed)  Jury Trial Day Twenty Two (Empanelment) (Sealed)
1038	2/20/13	Jury Trial Day Twenty Two (Empanelment) (Sealed)  Jury Trial Day Twenty Three (Empanelment) (Sealed)
1073	2/24/13	Jury Trial Day Twenty Three (Empanelment) (Sealed)
1116	3/4/15	Jury Trial Day Twenty Seven (Excerpt) (Opening
1117	2/4/17	Statements by Mr. Weinreb)
1117	3/4/15	Jury Trial Day Twenty Seven (Excerpt) (Opening
1122	2/2/15	Statements by Ms. Clarke)
1133	3/3/15	Lobby Conference (Sealed)
1146	3/12/15	Lobby Conference (Sealed)
1155	3/9/15	Jury Trial Day Twenty Nine (Excerpt) (Testimony of
		Steven Kimball)
1156	3/10/15	Jury Trial Day Thirty (Excerpt) (Testimony of Steven
		Kimball)
1163	3/11/15	Jury Trial Day Thirty One (Excerpt) (Testimony of
		Chad Fitzgerald)
1165	3/10/15	Jury Trial Day Thirty (Excerpt) (Sidebar Conference
		Re Proffer)
1180	3/12/15	Jury Trial Day Thirty Two (Excerpt) (Testimony of
		Dun Meng)
1183	3/18/15	Jury Trial Day Thirty Five (Excerpt) (Testimony of
		Stephanie Waite)
1190	3/19/15	Jury Trial Day Thirty Six (Excerpt) (Testimony of
		Kevin Swindon)
1194	3/17/15	Jury Trial Day Thirty Four (Excerpt) (Testimony of
		Stephen Silva)
1197	3/16/15	Jury Trial Day Thirty Three (Excerpt) (Testimony of
		James Floyd)
1198	3/23/15	Jury Trial Day Thirty Seven (Excerpt) (Testimony of
		Matthew Levitt, Ph.D.)
1199	3/24/15	Jury Trial Day Thirty Eight (Excerpt) (Testimony of
		Matthew Levitt, Ph.D.)
1210	3/4/15	Jury Trial Day Twenty Seven (Excerpt) (Testimony of
		Thomas Grilk)
1243	4/6/15	Jury Trial Day Forty Three (Excerpt) (Closing
		Argument by Aloke Chakravarty and Rebuttal by
		William Weinreb)
1244	4/6/15	Jury Trial Day Forty Three (Excerpt) (Closing
	., 0, 15	Argument by Judy Clarke)
		1 in Burnett of Judy Clarico

1250	4/8/15	Jury Trial Day Forty Five (Excerpt) (Juror Questions)
1287	4/14/15	Jury Trial Day Forty Six
1294	4/6/15	Jury Trial Day Forty Three (Excerpt) (Part I Jury
		Instructions by the Court)
1297	4/13/15	Motion Hearing (Sealed)
1306	4/17/15	Lobby Conference (Sealed)
1308	4/21/15	Jury Trial Day Forty Seven (Excerpt) (Opening
		Statements of Nadine Pellegrini)
1348	3/9/15	Jury Trial Day Twenty Nine (Excerpt) (Testimony of
		Danling Zhou)
1349	4/27/15	Jury Trial Day Fifty
1351	3/26/15	Jury Trial Day Forty (Excerpt) (Testimony of Edward
		S. Knapp)
1354	4/28/15	Jury Trial Day Fifty One
1362	4/29/15	Jury Trial Day Fifty Two
1383	5/4/15	Jury Trial Day Fifty Four
1388	5/5/15	Jury Trial Day Fifty Five
1393	5/6/15	Jury Trial Day Fifty Six
1395	4/24/15	Lobby Conference (Sealed)
1396	3/26/15	Jury Trial Day Forty (Excerpt) (Testimony of David
		McCollam)
1397	3/31/15	Jury Trial Day Forty Two (Excerpt) (Testimony of
		Elena Graff)
1398	5/7/15	Jury Trial Day Fifty Seven
1418	5/13/15	Jury Trial Day Fifty Nine
1420	5/11/15	Lobby Conference (Sealed)
1422	3/5/15	Jury Trial Day Twenty Eight (Excerpt) (Testimony of
		William Richard)
1423	3/30/15	Jury Trial Day Forty One (Excerpt) (Testimony of
		Gerald R. Grant, Jr.)
1424	3/31/15	Jury Trial Day Forty Two (Excerpt) (Testimony of
		Mark Spencer)
1444	5/11/15	Lobby Conference (Sealed)
1445	5/11/15	Lobby Conference # 2 (Sealed)
1446	5/12/15	Lobby Conference (Sealed)
1476	6/24/15	Disposition (Excerpt) (Remarks by the Honorable
		George A. O'Toole, Jr., District Judge)
1477	6/24/15	Disposition (Corrected Excerpt) (Allocution of
		Dzhokhar A. Tsarnaev)
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1482	6/24/15	Disposition (Excerpt) (Re: Appeal)
1487	5/19/15	Status Conference
1492	6/24/15	Sentencing (Excerpt)
1500	3/16/15	Jury Trial Day Thirty Three (Excerpt) (Testimony of
		Jeffrey Pugliese)
1510	5/13/15	Lobby Conference (Sealed)
1512	1/5/15	Jury Trial Day One (A.M. Session)
1513	1/5/15	Jury Trial Day One (P.M. Session)
1514	1/6/15	Jury Trial Day Two (A.M. Session)
1515	1/6/15	Jury Trial Day Two (P.M. Session)
1516	1/7/15	Jury Trial Day Three (A.M. Session)
1517	1/7/15	Jury Trial Day Three (P.M. Session)
1518	3/2/15	Jury Trial Day Twenty Five (Motion Hearing)
1519	3/16/15	Jury Trial Day Thirty Three
1521	3/2/15	Lobby Conference (Sealed)
1522	3/3/15	Lobby Conference (Sealed)
1526	3/9/15	Lobby Conference (Sealed)
1527	3/10/15	Lobby Conference (Sealed)
1528	3/4/15	Jury Trial Day Twenty Seven
1529	3/5/15	Jury Trial Day Twenty Eight
1530	3/9/15	Jury Trial Day Twenty Nine
1533	3/3/15	Jury Trial Day Twenty Six
1537	3/10/15	Jury Trial Day Thirty
1538	3/11/15	Jury Trial Day Thirty One
1540	3/11/15	Lobby Conference (Sealed)
1541	4/6/15	Lobby Conference (Sealed)
1544	3/12/15	Jury Trial Day Thirty Two
1546	3/17/15	Jury Trial Day Thirty Four
1548	3/17/15	Lobby Conference (Sealed)
1553	3/24/15	Lobby Conference (Sealed)
1559	3/18/15	Jury Trial Day Thirty Five
1560	3/23/15	Jury Trial Day Thirty Seven
1562	3/18/15	Lobby Conference (Sealed)
1564	3/19/15	Jury Trial Day Thirty Six
1566	3/24/15	Jury Trial Day Thirty Eight
1567	3/25/15	Jury Trial Day Thirty Nine
1569	3/26/15	Jury Trial Day Forty
1573	3/31/15	Lobby Conference (Sealed)
1574	3/30/15	Lobby Conference (Sealed)

1575	3/31/15	Jury Trial Day Forty Two
1577	3/31/15	Afternoon Lobby Conference (Sealed)
1580	4/6/15	Jury Trial Day Forty Three
1583	4/7/15	Jury Trial Day Forty Four
1585	4/7/15	Jury Trial Day Forty Four (Sealed) (Sealed Sidebar
		Conference)
1586	4/8/15	Lobby Conference (Sealed)
1587	4/8/15	Jury Trial Day Forty Five
1592	4/9/15	Status Conference
1597	12/1/15	Motion Hearing
1602	4/21/15	Lobby Conference (Sealed)
1603	4/21/15	Jury Trial Day Forty Seven
1609	4/22/15	Jury Trial Day Forty Eight
1611	4/23/15	Jury Trial Day Forty Nine
1613	4/23/15	Lobby Conference (Sealed)
1621	4/28/15	Lobby Conference (Sealed)
1624	3/30/15	Jury Trial Day Forty One
1629	4/29/15	Lobby Conference (Sealed)
1630	4/30/15	Lobby Conference (Sealed)
1631	5/6/15	Lobby Conference (Sealed)
1632	5/7/15	Lobby Conference (Sealed)
1633	6/23/15	Lobby Conference (Sealed)
1634	6/24/15	Sentencing
1656	12/18/14	Lobby Conference (Sealed)
1657	4/7/15	Jury Trial Day Forty Four (Sealed) (Redacted Sidebar
		Conference)
1658	4/8/15	Jury Trial Day Forty Five (Sealed) (Redacted Sidebar
		Conference)
1659	3/16/15	Jury Trial Day Thirty Three (Jury View)
1660	5/14/15	Jury Trial Day Sixty
1661	5/15/15	Jury Trial Day Sixty One
None	11/12/13	Government Ex Parte Conference
None	7/3/14	Government Ex Parte Conference
None	11/6/14	Government Ex Parte Conference
None	12/8/14	Government Ex Parte Conference
None	12/26/14	Lobby Conference (Sealed)
None	1/14/15	Lobby Conference (Sealed)
None	2/26/15	Government Ex Parte Conference
None	4/1/15	Motion Hearing (Sealed)

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		T
None	9/24/15	Government Ex Parte Conference

### **EXHIBIT B**

### Transcript Order

Date	Type of Proceeding
9/23/13	Defense Ex Parte Conference
10/21/13	Defense Ex Parte Conference
12/12/13	Defense Ex Parte Conference
2/12/14	Defense Ex Parte Conference
6/4/14	Defense Ex Parte Conference
10/5/14	Defense Ex Parte Conference
10/30/14	Defense Ex Parte Conference
11/18/14	Defense Ex Parte Conference
12/15/14	Defense Ex Parte Conference
12/19/14	Defense Ex Parte Conference
12/22/14	Defense Ex Parte Conference
2/26/15	Defense Ex Parte Conference
4/24/15	Defense Ex Parte Conference
4/30/15	Jury Trial Day Fifty Three
5/15/15	Defense Ex Parte Conference

#### **CERTIFICATE OF SERVICE**

I certify that the attached Transcript Report/Order was filed electronically through the ECF systems for the U.S. District Court for the District of Massachusetts and the U.S. Court of Appeals for the First Circuit, which will send electronic notice to counsel of record for all parties on this the 15th day of June, 2016, including the following:

Elizabeth D. Collery, Esq. U.S. Department of Justice, Crim. Div., App. Sec. 950 Pennsylvania Ave. NW, Suite 1264 Washington, DC 20530 liza.collery@usdoj.gov

/s/ David Patton, Esq.
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